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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,923	01/08/2002	A. Marie Vans	100111150-1	4071

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EXAMINER

SINGH, RACHNA

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 04/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/041,923

Applicant(s)

VANS ET AL.

Examiner

Rachna Singh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Request for Reconsideration filed 1/29/04.
2. Claims 1-38 are pending. Claims 1, 12, 21, and 30 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 7, 12-14, 20-22, 28-32, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mighdoll et al., US 2001/0003823, 6/14/01 (filed 6/10/98).

In reference to claim 1, Mighdoll teaches an improved method for providing a document to a client. Mighdoll's method comprises the following:

-An input device providing the user with a graphical user interface from which the user can access network services. See pages 2-3, paragraphs [0033-0034]. Compare to

"at least one input device . . . a processor communicating with said at least one input device and capable of communicating with a display device".

-A document database for storing documents to be used by a server to speed up processing and downloading of a document in response to all future requests for that document. The document is partitioned into a plurality of partitions (compare to number-of-pages-to-be-loaded). The document cache stores the most frequently requested HTML documents (compare to most-likely-to-be-visited pages) and

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previously viewed pages. See page 3, paragraphs [0041]-[0042] and pages 7-8, paragraphs [0106]-[0107]. Compare to ***“a memory including a display pages storage area, a most-recently-visited pages storage area, a most-likely-to-be-visited pages storage area, and a number-of-pages-to-be-loaded variable storage area”***.

-Using the document database to store pre-fetching information relating to the documents and images. The database is used to facilitate pre-fetching which increases efficiency. The data is downloaded into the first partition and repeated to the next partition until each of the partitions has been downloaded. See pages 8-10. Compare to ***“wherein said processor uses . . . in response to single user input without waiting for a user to select additional pages to view on said display device”***.

Mighdoll does not refer to the display pages as “most-recently-visited” or “most-likely to-be visited”; however, he does base pages on the frequency that a page is accessed which is analogous to “most-likely-to-be-visited” pages. Furthermore, he keeps a historical record of the accessed pages (“most-recently-visited”). Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate “most-likely-to-be-visited” and “most-recently-visited” pages since they are analogous to the most frequently accessed and historically viewed pages of Mighdoll.

In reference to claim 2, Mighdoll teaches that the display page-processing device includes information from the document database regarding processed image storage. It keeps a record of historical and diagnostic information for each document. See page 3.

In reference to claim 3, Mighdoll's document database can store the document or an image. The database is used when processing display pages. See pages 2-3.

In reference to claim 4, Mighdoll's device includes a graphical user interface in which a user can obtain image data. See pages 1-2.

In reference to claim 5, the database can determine if the image needs to be resized for the web pages. See page 4, first column, paragraph [0061].

In reference to claim 7, Mighdoll's system stores pages of the last several fetches of a document. See page 7.

In reference to claims 12, 21, and 30, Mighdoll teaches an improved method for providing a document to a client. Mighdoll's method comprises the following:

-A document database for storing documents to be used by a server to speed up processing and downloading of a document in response to all future requests for that document. The document is partitioned into a plurality of partitions (compare to number-of-pages-to-be-loaded). The document cache stores the most frequently requested HTML documents (compare to most-likely-to-be-visited pages) and previously viewed pages. See page 3, paragraphs [0041]-[0042] and pages 7-8, paragraphs [0106]-[0107].

Using the document database to store pre-fetching information relating to the documents and images. The database is used to facilitate pre-fetching which increases efficiency. The data is downloaded into the first partition and repeated to the next partition until each of the partitions has been downloaded. See pages 8-10.

-Compressing the image or document. See page 4.

-Resizing any images or documents according to the web page. See page 4.

Mighdoll does not refer to the display pages as "most-recently-visited" or "most-likely-to-be visited"; however, he does base pages on the frequency that a page is accessed which is analogous to "most-likely-to-be-visited" pages. Furthermore, he keeps a historical record of the accessed pages ("most-recently-visited"). Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate "most-likely-to-be-visited" and "most-recently-visited" pages since they are analogous to the most frequently accessed and historically viewed pages of Mighdoll.

In reference to claim 13, Mighdoll's document database can store the document or an image. The database is used when processing display pages. See pages 2-3.

In reference to claim 14, Mighdoll's system stores pages of the last several fetches of a document. See page 7.

In reference to claim 20, Mighdoll's system teaches a compression and scaling step from which data is used to fill in the partitions of the document. See pages 3-4.

Claims 22 and 38 are rejected under the same rationale used in claim 7 above.

Claim 28 is rejected under the same rationale used in claim 2 above.

Claims 29 and 31 are rejected under the same rationale used in claim 13 above.

Claim 32 is rejected under the same rationale used in claim 14 above.

5. Claims 6, 17, 25, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mighdoll et al., US 2001/0003823, 6/14/01 (filed 6/10/98) in view of Davis, WO 02/10943 A1, filed 7/30/01 (as supplied by IDS).

In reference to claim 6, Mighdoll does not teach a user-settable resolution; however, Davis does. Davis teaches that a user can override the system resolution by providing his own resolution. See page 37. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine both Mighdoll and Davis since both are concerned with adapting images to a browser and allowing a user to enter a resolution would improve the viewing according to a user's device.

In reference to claim 17, Mighdoll does not teach a user-settable resolution; however, Davis does. Davis teaches that a user can override the system resolution by providing his own resolution. See page 37. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine both Mighdoll and Davis since both are concerned with adapting images to a browser and allowing a user to enter a resolution would improve the viewing according to a user's device.

Claims 25 and 35 are rejected under the same rationale used in claim 17 above.

7. Claims 8-11, 15-16, 18-19, 23-27, and 33-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mighdoll et al., US 2001/0003823, 6/14/01 (filed 6/10/98) in view of Roztocil, US 2003/0151651 A1, 9/5/02 (provisional filed 9/5/01).

In reference to claims 8-11, 15-16, and 18-19, Mighdoll does not teach a means in which page numbers are predetermined or stored; however, Roztocil does. Roztocil teaches a method of determining a number of pages in an ordered media set. He teaches inputting user-defined information in an interface. See pages 2-8. It would have been obvious to one of ordinary skill in the art to combine Mighdoll with Roztocil's page storage and settings since Mighdoll and Roztocil are concerned with presenting

images to a user and setting/storing page numbers makes for an easy reference when determining if a page has been viewed.

Claim 23 is rejected under the same rationale as claim 8 above.

Claims 24 and 26-27 are rejected under the same rationale as claims 16 and 18-19 above.

Claims 34 and 36-37 are rejected under the same rationale as claims 16 and 18-19 above.

Claim 33 is rejected under the same rationale as claim 15 above.

Response to Arguments

8. Applicant's arguments filed 1/29/04 have been fully considered but they are not persuasive in view of rejections above and comments below.

Applicant argues that Mighdoll et al. does not teach "most-recently-visited" or "most-likely-to-be-visited" storage areas. Examiner disagrees. On pages 3-4 and figure 8 of Mighdoll, he discloses that pages stored in memory have date and time information. Date and time information indicates which pages were 'recently visited'. Furthermore, in figure 8, Mighdoll teaches that pages are stored for a certain period of time and are then cached again.

Applicant also argues that Mighdoll does not teach "most-likely-to-be-visited" pages. On page 6 of Applicant's specification, "most-likely-to-be-visited" pages are defined as a prediction of pages that the user will visit". Mighdoll teaches a document cache that stores the most frequently requested documents. Frequency indicates the

"likelihood" of something occurring, in this case the page being visited, thus Mighdoll teaches this feature. See pages 3-4 and 7-8 as indicated in rejections above.

Applicant further argues that Mighdoll does not teach "a number-of-pages-to-be-loaded variable storage area". In Applicant's specification, it is defined as "controlling how many pages are loaded into display storage area" and further states that it can simply be the "available memory". Mighdoll's storage of pages in a storage device also has an "available memory" and would not store any more pages if that available memory was exceeded, thus Mighdoll does teach "a number-of-pages-to-be-loaded variable storage area".

Applicant argues that Mighdoll teaches requesting a single web page and does not disclose fetching and/or storing two or more display pages to the storage area in response to a single user input without waiting for a user to select additional pages to view. Mighdoll's system stores multiple documents in a storage area in response to user input. See page 3, paragraphs [0041] and [0042]. See also pages 8-10 in which Mighdoll teaches document and image prefetching. On page 8, paragraph [0109], Mighdoll teaches prefetching documents and images. Thus he teaches fetching and storing multiple documents.

In regards to Applicant's arguments that Mighdoll does not teach "fetching and/or storing two or more display pages to the storage area in response to a single user input without waiting for a user to select additional pages to view on said display device", Examiner disagrees. Mighdoll teaches fetching pages in response to a user request. The document can comprise a number of partitions in which the first partition is

repeated to the next until each partition has been downloaded. See pages 8-10. A document can consist of multiple pages and the partitions of Mighdoll can be different pages, thus he teaches fetching multiple pages and not a single page.

Conclusion


9. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 703.305.1952. The examiner can normally be reached on M-F (8:30-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 703.305.9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER

RS
3/29/04